

Please amend the Claims as follows:

Claim 1. (Currently amended) A fitment for a container having a top end and a first wall associated with the top end comprising

means defining an opening through ~~said~~ the first wall associated with ~~said~~ the top end of ~~said~~ the container,

a circumferential flange member,

a second wall circumscribing said opening through ~~said~~ the first ~~container~~ wall associated with ~~said~~ the top end of ~~said~~ the container,

said second wall ~~and~~ upstanding from said flange member,

said second wall defining ~~an~~ a conduit having entrance and exit ends through which contents of ~~said~~ the container may be discharged,

at least said exit end of said conduit having a substantially ellipsoidal planar cross-sectional geometry having at least one major portion and at least one minor portion,

said minor portion being disposed vertically above said major portion when said fitment is affixed to ~~said container~~ the first wall of the container and the container is oriented in a direction for discharge of the contents of the container through said opening and substantially simultaneous ingress of ambient air into the container through said minor portion of said fitment, a tear away membrane disposed across and closing said conduit and including pull ring means affixed to said tear away membrane at a location within said minor portion of said cross-sectional geometry of said conduit thereby providing for localization of an initial tear away force applied through said pull ring.

Claim 2. (Original) The fitment of Claim 1 wherein said cross-sectional geometry of at least said exit end of said conduit has an aspect ratio of less than one.

Claim 3. (Original) The fitment of Claim 1 wherein said container and said fitment each includes a longitudinal centerplane and said centerplanes are coincident when said fitment is affixed to the top end of said container.

Claim 4. (Original) The fitment of Claim 1 and including a cap member integrally formed in hinged relationship with said wall defining said conduit.

Claim 5. (Currently amended) The fitment of Claim 2 ~~4~~ wherein said cap member includes first and second annular projections extending from a surface thereof, said projections being spaced apart from one another to define therebetween a void annular space, said annular space having a geometry substantially like said ellipsoidal cross-section geometry of said conduit and adapted to receive therein an outboard rim of said wall to thereby releasably close and seal said conduit against the passage of the contents of said container therethrough.

Claim 6. (Cancelled)

Claim 7. (Cancelled)

Claim 8. (Currently amended) In a fitment for attachment to a wall portion of the top end of a container having pourable contents and adapted to circumscribe an opening through the thickness of the wall portion of the top end of the container and including means for attachment of the fitment to the container, and a wall defining a conduit having an inboard open and an outboard open end having an outboard rim, for the discharge of the contents of the container therethrough, the improvement comprising

a planar cross sectional geometry for said outboard open end of said conduit which includes at least one major portion of a first size and at least one minor portion of a second and smaller size, said at least one minor portion of said geometry

being disposed most topwise of the top end of the container when the fitment is attached to the container and the container is tilted in a direction suitable for the discharge of the contents of the container through said at least one major portion, whereby ambient air enters the container through said at least one minor portion of said geometry substantially simultaneously with the discharge of the contents from the container through said at least one major portion of said geometry.

Claim 9. (Original) The improvement of Claim 8 and including a cap member integrally formed with said wall of said base member, said cap including an perimetral rim and including an annular void space defined adjacent said perimetral rim and adapted to capture therein said outboard rim of said wall of said base portion to releasably close and seal the conduit defined by the wall.

Claim 10. (Original) The improvement of Claim 8 wherein said cross sectional geometry is ellipsoidal.

Claim 11. (Original) The improvement of Claim 8 wherein said wall of said base member is configured as an open ended conduit.

Claim 12. (Currently amended) In a fitment for attachment to a wall portion of the top end of a container having pourable contents, the improvement comprising

a conduit defined by said fitment for the discharge of contents from the container, said conduit having an exit opening of a cross-sectional geometry which includes at least one major portion of a first size and at least one minor portion of a second and smaller size, said minor portion of said geometry being disposed most topwise of the container when the fitment is attached to the top end of the container whereby said contents are preferentially discharged from the container through said at least one major portion and ambient air substantially simultaneously enters the container through said at least one minor portion of the geometry, wherein said planar cross-sectional geometry of the opening comprises first and second apices, a centerline

extending through said first and second apices, and first and second opposite non-circular and non-linear sides extending between said first and second apices, said first and second opposite sides being mirror images of one another.

Claim 13. (Original) The fitment of Claim 12 wherein said cross-sectional geometry of said conduit is ellipsoidal.

Claim 14. (Original) The fitment of Claim 12 wherein said cross-sectional geometry of at least said exit end of said conduit has a aspect ratio of less than one.

Claims 15-17 (Cancelled)

Claim 18. (New) The fitment of Claim 1 wherein said ellipsoidal planar cross-sectional geometry of the opening includes a major axis and a minor axis, a centerline coincident with and extending through said first and second apices, and first and second opposite non-circular and non-linear sides extending between said first and second apices and on opposite sides of said centerline, said first and second opposite sides being mirror images of one another.